

## POST ACTION AGENDA NOTICE

### NOTICE OF SPECIAL SESSION OF THE COTTONWOODS MAINTENANCE DISTRICT BOARD

**WHEN: THURSDAY, JUNE 4, 2015**

**TIME: IMMEDIATELY FOLLOWING ADJOURNMENT OF THE 6:25 PM EAGLE MOUNTAIN COMMUNITY FACILITIES DISTRICT BOARD SPECIAL SESSION, AND PRIOR TO THE REGULAR AND SPECIAL SESSIONS OF THE TOWN OF FOUNTAIN HILLS TOWN COUNCIL**

**WHERE: TOWN OF FOUNTAIN HILLS - COUNCIL CHAMBERS  
16705 EAST AVENUE OF THE FOUNTAINS, FOUNTAIN HILLS, AZ**

Pursuant to A.R.S. §38-431.02, notice is hereby given to the Directors of the District Board of the Cottonwoods Maintenance District and to the general public that the District Board of the Cottonwoods Maintenance District will hold a special session open to the public, which will begin immediately after the adjournment of the 6:25 PM Eagle Mountain Facilities District Board Special Session and prior to the June 4, 2015 Fountain Hills Town Council Regular and Special Sessions.

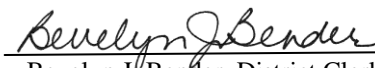
Members of the Cottonwoods Maintenance District Board will attend either in person or by telephone conference call; a quorum of the Town's various Commissions or Boards may be in attendance at the Board meeting.

"Notice is hereby given that pursuant to A.R.S. §1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the District Board are audio and/or video recorded, and, as a result, proceedings in which children are present may be subject to such recording. Parents in order to exercise their rights may either file written consent with the District Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the District Board will assume that the rights afforded parents pursuant to A.R.S. §1-602.A.9 have been waived."

### AGENDA

- **CALLED TO ORDER AND ROLL CALL.** – District Board Chair Linda M. Kavanagh **6:27 PM**
- **CALL TO THE PUBLIC.**  
Pursuant to A.R.S. §38-431-01(G), public comment is permitted (not required) on matters not listed on the agenda. Any such comment (i) must be within the jurisdiction of the Directors is subject to reasonable time, place and manner restrictions. The Directors will not discuss or take legal action on matters raised during "Call to the Public" unless the matters are properly noticed for discussion and legal action. At the conclusion of the "Call to the Public", individual Directors may (i) respond to criticism, (ii) ask staff to review a matter or (iii) ask that the matter be placed on a future agenda.
- 1. **CONSIDERATION** of approving the Cottonwoods Maintenance District Board MEETING MINUTES of May 7, 2015. **APPROVED**
- 2. **PUBLIC HEARING** regarding RESOLUTION CMD 2015-02, approving the Tentative Budget as the Final Budget of the District for the Fiscal Year beginning July 1, 2015, and ending June 30, 2016.  
**OPENED: 6:28 PM; CLOSED 6:28 PM**
- 3. **CONSIDERATION** of RESOLUTION CMD 2015-02, approving the Tentative Budget as the Final Budget of the District for the Fiscal Year beginning July 1, 2015, and ending June 30, 2016. **APPROVED**
- 4. **ADJOURNMENT.** **6:29 PM**

DATED this 29<sup>th</sup> day of May, 2015.

  
Bevelyn J. Bender, District Clerk

The Cottonwoods Maintenance District, in cooperation with the Town of Fountain Hills endeavors to make all public meetings accessible to persons with disabilities. Please call 480-816-5100 voice or 1-800-367-8939 (TDD) 48 hours prior to the meeting to request a reasonable accommodation to participate in this meeting. Supporting documentation and staff reports furnished with this agenda are available for review in the Clerk's office and on the Town's website [www.fh.az.gov].

**NOTICE OF SPECIAL SESSION OF  
THE COTTONWOODS  
MAINTENANCE DISTRICT BOARD**

**WHEN: THURSDAY, JUNE 4, 2015**

**TIME: IMMEDIATELY FOLLOWING ADJOURNMENT OF THE 6:25 PM EAGLE MOUNTAIN COMMUNITY FACILITIES DISTRICT BOARD SPECIAL SESSION, AND PRIOR TO THE REGULAR AND SPECIAL SESSIONS OF THE TOWN OF FOUNTAIN HILLS TOWN COUNCIL**

**WHERE: TOWN OF FOUNTAIN HILLS - COUNCIL CHAMBERS  
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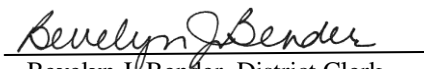
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**AGENDA**

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- 1. **CONSIDERATION** of approving the Cottonwoods Maintenance District Board MEETING MINUTES of May 7, 2015.
- 2. **PUBLIC HEARING** regarding RESOLUTION CMD 2015-02, approving the Tentative Budget as the Final Budget of the District for the Fiscal Year beginning July 1, 2015, and ending June 30, 2016.
- 3. **CONSIDERATION** of RESOLUTION CMD 2015-02, approving the Tentative Budget as the Final Budget of the District for the Fiscal Year beginning July 1, 2015, and ending June 30, 2016.
- 4. **ADJOURNMENT.**

DATED this 29<sup>th</sup> day of May, 2015.

  
Bevelyn J. Bender, District Clerk

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**Cottonwoods Maintenance District  
(CMD)**

**AGENDA ACTION FORM**

**Meeting Date:** 6/4/2015

**Meeting Type:** Special Session

**Agenda Type:** Regular

**Submitting Department:**  
Administration

**Staff Contact Information:** Bevelyn J Bender, 480-816-5115, bbender@fh.az.gov

**Strategic Priority:** Not applicable

**Council Goal:** Not applicable

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**REQUEST TO COUNCIL:** CONSIDERATION of approving the Cottonwoods Maintenance District Board meeting MINUTES from May 7, 2015.

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**Applicant:** NA

**Applicant Contact Information:** NA

**Property Location:** NA

**Related Ordinance, Policy or Guiding Principle:** A.R.S. §38-431.01

**Staff Summary (background):** The intent of approving previous meeting minutes is to ensure an accurate account of the discussion and action that took place at that meeting for archival purposes. Approved minutes are placed on the Town's website in compliance with state law.

**Risk Analysis (options or alternatives with implications):** NA

**Fiscal Impact (initial and ongoing costs; budget status):** NA

**Budget Reference (page number):** NA

**Recommendation(s) by Board(s) or Commission(s):** NA

**Staff Recommendation(s):** Approve

**Attachment(s):** None

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**SUGGESTED MOTION:** Move to approve the May 7, 2015 meeting minutes.

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**Submitted and Approved by:**

**Approved:**

  
Bevelyn J. Bender, District Clerk 5/26/2015

  
Ken Buchanan, District Manager 5/27/2015



**TOWN OF FOUNTAIN HILLS**  
**Cottonwoods Maintenance District**

**AGENDA ACTION FORM**

**Meeting Date:** 6/4/2015

**Meeting Type:** Special Session

**Agenda Type:** Regular

**Submitting Department:** Administration

**Staff Contact Information:** Craig Rudolphy, District Finance Director; 480-816-5162; crudolphy@fh.az.gov

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**REQUEST TO DISTRICT BOARD** (Agenda Language):

1. PUBLIC HEARING regarding RESOLUTION CMD 2015-02, approving the Tentative Budget as the Final Budget of the District for the Fiscal Year beginning July 1, 2015, and ending June 30, 2016.
2. CONSIDERATION of RESOLUTION CMD 2015-02, approving the Tentative Budget as the Final Budget of the District for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016.

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**Applicant:** N/A

**Applicant Contact Information:** N/A

**Property Location:** N/A

**Related Ordinance, Policy or Guiding Principle:**

**Staff Summary** (background): The tentative budget for the Cottonwoods Maintenance District was approved by the Board on May 7, 2015; approval of this Resolution will adopt the tentative budget as the final budget for Fiscal Year beginning July 1, 2015 and ending June 30, 2016..

**Risk Analysis** (options or alternatives with implications):

**Fiscal Impact** (initial and ongoing costs; budget status): \$5,366

**Budget Reference** (page number): 276-277

**Funding Source:** NA

If Multiple Funds utilized, list here:

**Budgeted; if No, attach Budget Adjustment Form:** Y ☒ N ☐

**Staff Recommendation(s):** Approve

**List Attachment(s):** Resolution CMD 2015-02

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**SUGGESTED MOTION** (for District Board use): Move to approve Resolution CMD 2015-02.

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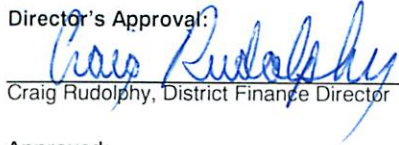
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Prepared by:

NA

5/26/2015

Director's Approval:



Craig Rudolph, District Finance Director

5/26/2015

Approved:



Ken Buchanan, District Manager

5/26/2015

## **RESOLUTION CMD 2015-02**

A RESOLUTION OF THE BOARD OF THE COTTONWOODS MAINTENANCE DISTRICT, APPROVING THE FINAL BUDGET OF THE DISTRICT FOR THE FISCAL YEAR BEGINNING JULY 1, 2015 AND ENDING JUNE 30, 2016.

**WHEREAS**, the provisions of ARIZ. REV. STAT. §§ 48-574 and 48-575 allow for the assessment of maintenance charges upon the lots and parcels within an improvement district and such assessments to be collected in the manner and by the officers provided by law for the collection and enforcement of general taxes; and

**WHEREAS**, pursuant to ARIZ. REV. STAT. §§ 48-574(E) and 48-575(E), on May 7, 2015, the Board of Directors of the Cottonwoods Maintenance District (the "Board") approved Resolution CMD 2015-01, which (i) adopted the statements and schedules attached as Exhibit A and incorporated herein by this reference as the tentative budget for the Cottonwoods Maintenance District, Maricopa County, Arizona, (the "District") for the fiscal year 2015-16 and (ii) authorized and directed the District Clerk to cause to be (a) mailed to the governing body of the Town of Fountain Hills and all persons owning real property within the District and (b) published in a manner prescribed by law, a notice that the District Board would meet on June 4, 2015, for the purpose of conducting a final hearing for District taxpayers on the statements and estimates of the District expenditures filed with the District Clerk; and

**WHEREAS**, proper notice was given by (i) publication in the Fountain Hills Times on May 13, 2015, and May 20, 2015, and (ii) first class mail to all persons owning real property in the District on May 7, 2015; and

**WHEREAS**, on June 4, 2015, the Board held a public hearing to allow taxpayers of the District to voice their comments in favor of or against any proposed expenditures and assessments; and

**WHEREAS**, any person owning real property affected by the assessment who had any objection to the legality of the assessment or to any of the previous proceedings connected therewith was given the opportunity to appear before the Board at the hearing to present any further objections.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Cottonwoods Maintenance District, Maricopa County, Arizona, as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The Board has heard all objections and has determined that (i) such objections do not provide a basis for a modification of the statements and schedules attached hereto as Exhibit A and (ii) any informalities or irregularities which may have occurred in the adoption process for the District budget have been properly remedied.

SECTION 3. The statements and schedules attached hereto as Exhibit A and incorporated herein by this reference, are hereby approved for the purpose as hereinafter set forth as the final budget for the Cottonwoods Maintenance District, Maricopa County, Arizona, for the fiscal year 2015-16. The statements and estimates of the operation and maintenance expenses of the District, the costs of capital improvements and other expenditures for public infrastructure of the District are hereby filed with the District Clerk.

SECTION 4. The District Chairperson, the District Clerk and the District Counsel are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Resolution.

**PASSED AND ADOPTED** by the Board of Directors of the Cottonwoods Maintenance District, Maricopa County, Arizona, on June 4, 2015.

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Linda M. Kavanagh, District Chairperson

**ATTEST:**

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Bevelyn J. Bender, District Clerk

**APPROVED AS TO FORM:**

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Andrew J. McGuire, District Counsel

EXHIBIT A  
TO  
RESOLUTION CMD 2015-02

[Final Budget]

See following page.



**COTTONWOODS MAINTENANCE DISTRICT  
FINAL BUDGET  
FISCAL YEAR 2015-2016**

<u>Revenues</u>	For the Year Ended <u>June 30, 2016</u>
Tax Levy at \$92.51 per Property Owner	<u>\$5,366</u>
<b>TOTAL</b>	<b><u>\$5,366</u></b>
<u>Expenses</u>	
Annual Landscape Maintenance Cost	\$4,015
Annual Reserve for Exterior Wall Maintenance	1,073
Reserve Fund	250
Administrative Cost	<u>28</u>
<b>TOTAL</b>	<b><u>\$5,366</u></b>